AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

1. (Currently amended) A data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

an output unit outputting data based on receipt of a data ~~change~~ switch request from a user; and

a switch destination data determining unit determining a switch destination ~~of~~corresponding to data to be ~~being~~ output by said output unit, based on a result of counting by said preference score counting unit, wherein

said switch destination is determined such that data of high preference score has high probability to be output, based on the result of counting of the preference score by said preference score counting unit.

2. (Previously presented) The data output apparatus according to claim 1, wherein

said switch destination data determining unit forms a switch order such that data of which probability to be said switch destination is determined to be high appears more frequently, based on the result of counting of the preference score by said preference score counting unit.

3. (Currently amended) A data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

an output unit outputting data based on receipt of a data ~~change~~ switch request from a user; and

a switch destination data determining unit determining a switch destination ~~of~~ corresponding to data ~~being~~ to be output by said output unit, based on a result of counting by said preference score counting unit; wherein

said switch destination is determined such that data of low preference score has high probability to be output, based on the result of counting of the preference score by said preference score counting unit.

4. (Previously presented) The data output apparatus according to claim 3, wherein

said switch destination data determining unit forms a switch order such that data of which probability to be said switch destination is determined to be high appears more frequently, based on the result of counting of the preference score by said preference score counting unit.

5. (Currently amended) A data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

an output unit outputting data based on receipt of a data ~~change~~ switch request from a user;

a switch destination data determining unit determining a switch destination ~~of~~corresponding to data ~~being~~ to be output by said output unit, based on a result of counting by said preference score counting unit; and

a preference score limit setting unit setting a lower limit of preference score; wherein

said switch destination data determining unit determines data having higher preference score than said lower limit set by said preference score limit setting unit to be said switch destination, based on the result of counting by said preference score counting unit.

6. (Currently amended) A data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

an output unit outputting data based on receipt of a data ~~change~~ switch request by a user;

a switch destination data determining unit determining a switch destination ~~of~~ corresponding to data ~~being~~to be output by said output unit, based on a result of counting by said preference score counting unit; and

a preference score limit setting unit setting a higher limit of preference score; wherein

said switch destination data determining unit determines data having lower preference score than said higher limit set by said preference score limit setting unit to be said switch destination, based on the result of counting by said preference score counting unit.

7. (Currently amended) A data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

an output unit outputting data based on receipt of a data ~~change~~ switch request from a user;

a switch destination data determining unit determining a switch destination ~~of~~ corresponding to data ~~being~~ to be output by said output unit, based on a result of counting by said preference score counting unit; and

a new arrival information obtaining unit obtaining new arrival information; wherein

said switch destination data determining unit determines, when said new arrival information is obtained by said new arrival information obtaining unit, said new arrival information to be said switch destination.

8. (Previously presented) The data output apparatus according to claim 1, wherein

said preference score vote receiving unit is capable of receiving a plurality of votes in accordance with degree of preference for one said output data.

9. (Previously presented) The data output apparatus according to claim 1, wherein

said preference score vote receiving unit receives a vote of degree of preference including a negative vote representing low preference.

10. (Previously presented) The data output apparatus according to claim 1, wherein

said preference score vote receiving unit receives a vote of degree of preference for the data being output at present by said output unit.

11. (Previously presented) The data output apparatus according to claim 1, wherein

said preference score vote receiving unit simultaneously receives a vote of degree of preference for data other than data for which a vote has been received, including same attribute as said data for which a vote has been received.

12. (Previously presented) The data output apparatus according to claim 1, further comprising a counting result reset unit resetting the result of counting by said preference score counting unit.

13. (Previously presented) The data output apparatus according to claim 1, comprising:

in place of said preference score vote receiving unit, an output time measuring unit measuring time of data output; wherein

said preference score counting unit counts data preference score based on the output time measured by said output time measuring unit.

14. (Cancelled)

15. (Previously presented) The data output apparatus according to claim 1, wherein

said output unit successively performs a process of switching and outputting the data that is being output at present and data as said switch destination different from said data that is being output at present.

16. (Currently amended) A data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

an output unit outputting data based on receipt of a data ~~change~~ switch request by a user;

a switch destination data determining unit determining a switch destination ~~of~~ corresponding to data ~~being~~ to be output by said output unit, based on a result of counting by said preference score counting unit; and

a data output time determining unit determining time of data output by said output unit; wherein

said output unit performs the process of switching and outputting the data that is being output at present and data as said switch destination different from said data that is being output at present, every time the time determined by said output time determining unit has passed.

17. (Previously presented) The data output apparatus according to claim 16, wherein

said data output time determining unit determines said time of data output by said output unit based on the result of counting preference score by said preference score counting unit.

18. (Previously presented) The data output apparatus according to claim 17, wherein

said data output time determining unit determines output time of data having higher preference score to be longer, based on the result of counting preference score by said preference score counting unit.

19. (Previously presented) The data output apparatus according to claim 17, wherein

said data output time determining unit determines output time of data having lower preference score to be longer, based on the result of counting preference score by said preference score counting unit.

20. (Currently amended) A control apparatus communicating with a data output apparatus for controlling said data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

a switch destination data determining unit for determining a switch destination of data that is being output by said data output apparatus, based on a result of counting by said preference score counting unit; and

an output unit outputting, based on receipt of a data ~~change~~ switch request from a user, to said data output apparatus a control signal for switching data to be output by said output apparatus from the data that is being output at present to data as said switch destination different from said data that is being output; wherein

said switch destination is determined such that data of high preference score has high probability to be output, based on the result of counting of the preference score by said preference score counting unit.

21. (Currently amended) A data output method, comprising:

the preference score voting step of receiving a user-indicated vote of preference score of output data representing degree of preference;

the preference score counting step of counting said vote of preference score;

the switch destination data determining step of determining a switch destination of data that is being output, based on the result of counting of said preference score; and

the data switching step of switching, upon receipt of a data ~~change~~ switch request from a user, the output data from the data that is being output to data as said switch destination different from the data that is being output; wherein

in said switch destination data determining step, probability of data to be said switch destination is determined such that data of high preference score has high probability, based on the result of counting of the preference score in said preference score counting step.

22. (Currently amended) A computer-readable medium, storing a set of instructions, executed by a processor, to perform a data output method, the method comprising:

the preference score voting step of receiving a user-indicated vote of preference score of output data representing degree of preference;

the preference score counting step of counting said vote of preference score;

the switch destination data determining step of determining a switch destination of data that is being output, based on the result of counting of said preference score; and

the data switching step of switching, based on receipt of a data ~~change~~ switch request from a user, the output data from the data that is being output to data as said switch destination different from the data that is being output; wherein

in said switch destination data determining step, probability of data to be said switch destination is determined such that data of high preference score has high probability, based on the result of counting of the preference score in said preference score counting step.

23. (Currently amended) A control apparatus communicating with a data output apparatus for controlling said data output apparatus, comprising:

a preference score vote receiving unit receiving a user-indicated vote of preference score of output data representing a degree of preference;

a preference score counting unit counting the vote of preference score received by said preference score vote receiving unit;

a switch destination data determining unit for determining a switch destination of data that is being output by said data output apparatus, based on a result of counting by said preference score counting unit; and

an output unit outputting, based on receipt of a data ~~change~~ switch request from a user, to said data output apparatus a control signal for switching data to be output by said output apparatus from the data that is being output at present to data as said switch destination different from said data that is being output; wherein

said switch destination is determined such that data of low preference score has high probability to be output, based on the result of counting of the preference score by said preference score counting unit.

24. (Currently amended) A data output method, comprising:

the preference score voting step of receiving a user-indicated vote of preference score of output data representing degree of preference;

the preference score counting step of counting said vote of preference score;

the switch destination data determining step of determining a switch destination of data that is being output, based on the result of counting of said preference score; and

the data switching step of switching, based on receipt of data ~~change~~ switch request from a user, the output data from the data that is being output to data as said switch destination different from the data that is being output; wherein

in said switch destination data determining step, probability of data to be said switch destination is determined such that data of low preference score has high probability, based on the result of counting of the preference score in said preference score counting step.

25. (Currently amended) A data output program product causing a computer to execute a data output method, the method comprising:

the preference score voting step of receiving a user-indicated vote of preference score of output data representing degree of preference;

the preference score counting step of counting said vote of preference score; the switch destination data determining step of determining a switch destination of data that is being output, based on the result of counting of said preference score; and

the data switching step of switching, based on receipt of data ~~change~~ switch request from a user, the output data from the data that is being output to data as said switch destination different from the data that is being output; wherein

in said switch destination data determining step, probability of data to be said switch destination is determined such that data of low preference score has high probability, based on the result of counting of the preference score in said preference score counting step.

26. (Previously presented) The data output apparatus of claim 1, wherein, upon receipt of a media data switch request,

the switch destination data determining unit determines the switch destination of data based on the result of counting by the preference score counting unit and

the output unit outputs data based on the determined switch destination of data.

27. (Previously presented) The data output apparatus of claim 1, further comprising:

a storing unit storing the switch destination determined by the switch destination media data determining unit,

wherein upon receipt of a media data switch request, the output unit outputs data by an incremental change in a channel based on the stored switch destination.

28. (Previously presented) The data output apparatus of claim 1, wherein the vote of preference score is received as a result of a user's voting operation.